

FISCAL NOTE

Bill #: HB0091

Title: Prohibit open containers in vehicles

Primary Sponsor: Harris, C

Status: As Introduced

Sponsor signature	Date	David Ewer, Budget Director	Date
-------------------	------	-----------------------------	------

Fiscal Summary

	<u>FY 2006 Difference</u>	<u>FY 2007 Difference</u>
Expenditures:		
General Fund	\$0	\$0
Revenue:		
General Fund	\$122,625	\$122,625
Net Impact on General Fund Balance:	\$122,625	\$122,625

- | | |
|---|---|
| <input type="checkbox"/> Significant Local Gov. Impact | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input checked="" type="checkbox"/> Significant Long-Term Impacts |
| <input type="checkbox"/> Dedicated Revenue Form Attached | <input type="checkbox"/> Needs to be included in HB 2 |

Fiscal Analysis

ASSUMPTIONS:

Department of Justice

1. There was a pilot project by the Montana Highway Patrol to record open container contacts at the site of crashes and traffic stops.
2. The pilot project made 545 contacts in a two-month period.
3. The amount of contacts made annualized would equate to 3,270 contacts annually.
4. If the average amount of the citation issued was \$75 (max. is \$100) and a citation was issued for every contact this would equate to \$245,250 annual increased revenue.
5. No citations will be issued in FY 2005 although effective date is upon passage and approval.
6. Fifty percent of the revenue collected goes to the state general fund and fifty percent goes to local government.

Department of Transportation

7. It is anticipated that the new federal transportation bill will have similar requirements for an open container law as did TEA-21 which expired September 30, 2003.
8. There will be no net fiscal change, however funds which are currently being diverted to highway safety programs due to lack of an open container law will be restored to the highway construction program.

Fiscal Note Request HB0091, As Introduced
(continued)

FISCAL IMPACT:

Department of Justice

Revenues:

General Fund (01)	\$122,625	\$122,625
-------------------	-----------	-----------

Net Impact to Fund Balance (Revenue minus Funding of Expenditures):

General Fund (01)	\$122,625	\$122,625
-------------------	-----------	-----------

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Local governments would receive \$122,625 annually in increased revenue if all assumptions in this fiscal not hold true.

LONG-RANGE IMPACTS:

Department of Transportation

Although there is no net fiscal impact from passing this legislation, failure to pass this bill will result in the transfer of Federal Aid Construction dollars, in the amount of \$5.6 million per year beginning in federal fiscal year 2001 through federal fiscal year 2005. Federal aid highway dollars traditionally used for capital construction and maintenance of the states transportation system will be diverted to the Governor's Highway Safety Plan also known as the 402 Plan.